



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

OFFICE OF FEDERAL  
PROCUREMENT POLICY

October 13, 2005

MEMORANDUM FOR FEDERAL AGENCY ENVIRONMENTAL EXECUTIVES  
AND AGENCY SENIOR PROCUREMENT EXECUTIVES

FROM:

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SUBJECT:

FY 2005 Reporting on Implementation of the Resource  
Conservation and Recovery Act, Section 6002, and Other  
Environmental Purchasing Requirements

Section 6002 of the Resource Conservation and Recovery Act (RCRA) requires the Office of Federal Procurement Policy (OFPP) to report to Congress every two years on the actions taken by Federal agencies to implement the statute. Executive Order (E.O.) 13101 requires agencies to track and report to the Office of the Federal Environmental Executive (OFEE) their purchases of Environmental Protection Agency (EPA)-designated recycled content products and implementation of environmentally preferable purchasing programs.

OFPP and OFEE have developed the attached survey to collect the information required to meet the reporting required by RCRA and E.O. 13101. The survey is similar to the fiscal year (FY) 2002, 2003, and 2004 surveys. All Federal agencies must complete the survey.

The indicator items selected for the FY 2004-2005 report by the White House Work Group on Tracking and Reporting are the same as those that were reviewed in the FY 2002-2003 report. They are:

- |                               |                                    |
|-------------------------------|------------------------------------|
| 1. sanitary tissue products   | 6. traffic barricades              |
| 2. toner cartridges           | 7. re-refined lubricating oil, and |
| 3. concrete                   | 8. signage.                        |
| 4. landscaping timbers        |                                    |
| 5. park benches/picnic tables |                                    |

Each Federal agency must report on purchases of these eight items obtained from sources other than a Federal source of supply, such as the General Services Administration and

the Defense Logistics Agency. Purchases made from a Federal Supply Source will be reported separately. Agencies are also required to report on contract compliance information reported through the Federal Procurement Data System (FPDS), solid waste prevention, recycling and waste minimization programs and practices, management controls, and goals for training, auditing, purchasing and waste diversion.

In addition, agencies are required to respond to several qualitative questions about their efforts to facilitate biobased product purchasing as required by Section 9002 of the Farm Security and Rural Investment Act of 2002 (FSRIA). These additional reporting areas will provide an indication of agencies' internal infrastructure and management controls for ensuring and monitoring compliance with RCRA Section 6002 and future compliance with FSRIA Section 9002.

The Department of Agriculture (USDA) recently proposed the first group of biobased products for Federal agencies to purchase under section 9002. While USDA is finalizing this group of products, OFPP and OFEE strongly encourage agencies to continue efforts to initiate biobased preference purchasing programs by developing policies, procedures, product testing, and processes appropriate to the agency. Agencies should:

- incorporate biobased product requirements into their existing Affirmative Procurement Plans (APP) or green purchasing plans;
- provide outreach and training for employees on the biobased product purchasing requirements; and
- begin purchasing those biobased products that meet their mission requirements and performance standards.

Agencies should keep the following points in mind as they complete the survey.

**FPDS Data.** Beginning in FY 2002, all agencies were required to report through the FPDS system, information on their purchases of EPA-designated products. Agencies should retrieve and review their own agency data on a quarterly or periodic basis as part of their internal monitoring required by RCRA.

**Solid Waste Prevention, Recycling and Waste Minimization.** The survey is intended to help gauge whether agencies have instituted new or improved solid waste prevention practices, recycling programs, or waste minimization goals and practices. Agencies must also report whether or not they have initiated or participated in any new pilots to purchase environmental preferable products or services, as required by E.O. 13101.

**Management Controls.** The survey addresses affirmative procurement plans, training, auditing, and measurement tools. Questions request the status of agencies' APPs and policies, as required by RCRA Section 6002. RCRA requires agencies to update these plans regularly, and current agency plans should include all 60+ EPA-designated recycled content products.

**Training.** As training is key to awareness and implementation, the survey requests information on agencies' efforts to train employees, especially acquisition personnel. It also requests information on whether an agency uses internal or outside sources for training, the percentage of employees that have been trained, and how procurement requirements are incorporated into purchase and travel card training. During FY 2005, an on-line green purchasing plan was developed and hosted on the Office of Personnel Management's *GoLearn* electronic learning site. OPM will provide data on the number of each agency's personnel that successfully completed this course.

**Auditing.** Agencies are asked to provide information on their audit activities to monitor compliance with green purchasing requirements.

**Agency Goals.** E.O. 13101 directed agencies to establish goals for solid waste diversion, procurement of recycled content products, and the use of environmentally preferable products and services. The survey asks agencies if they have established goals in these areas.

**Biobased Purchasing.** Agencies are asked to provide information on biobased purchasing pilots conducted in 2005, sources of biobased products purchased training efforts, and new language and/or goals included in an APP to facilitate a biobased procurement preference program.

Each agency should complete and return the survey by March 17, 2006 to OFPP, attention: Mr. Jim Daumit, [adaumit@omb.eop.gov](mailto:adaumit@omb.eop.gov), Fax # 202-395-5105; and to OFEE, attention: Ms. Dana Arnold, [arnold.dana@ofee.gov](mailto:arnold.dana@ofee.gov). Electronic copies are preferred, but hard copies can be mailed to OFEE, 1200 Pennsylvania Avenue, NW, Mail Code 1600S, Washington, DC 20460.

Attachment

**Date Due: March 17, 2006**

**Date Prepared:** \_\_\_\_\_

**RESOURCE CONSERVATION AND RECOVERY ACT (RCRA)  
FARM SECURITY AND RURAL INVESTMENT ACT (FSRIA)  
EXECUTIVE ORDER 13101**

**Agency Report for Fiscal Year 2005**

**Agency or Department** \_\_\_\_\_

**Agency Contact** \_\_\_\_\_

**Contact Telephone Number** \_\_\_\_\_

**Contact E-Mail Address** \_\_\_\_\_

**1. Federal Procurement Data System (FPDS) Data**

- a) How many contracting actions did your Agency complete in FY 2005?  
\_\_\_\_\_
- b) In FY 2005, how many contracting actions, in data element 8K of the FPDS data, indicated whether EPA-designated items would be acquired? \_\_\_\_\_
- c) Provide the number of contracting actions with data for each code, A-E, in data element 8K. These codes indicate whether the EPA-designated products must contain the required minimum recycled content, the justification for not requiring recycled content products, or that no EPA-designated products will be acquired under the contract:  
Code A (all EPA-designated products must contain the required minimum recycled content) \_\_\_\_\_  
Code B (availability) \_\_\_\_\_  
Code C (price) \_\_\_\_\_  
Code D (performance) \_\_\_\_\_  
Code E (no EPA-designated products acquired) \_\_\_\_\_
- d) In the FPDS data, how many contracting actions had a code (A or B) in data element 8L? \_\_\_\_\_
- e) What steps has the agency taken to review the FY 2005 FPDS data for compliance assessment and/or trend analyses?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- f) Please describe findings, changes, and/or actions that were a direct result of the assessments or analyses above.

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## 2. Indicator Items for EPA-Designated Recycled Content Products

**The General Services Administration (GSA) and the Defense Logistics Agency (DLA) will provide data for agency purchases directly from their stock programs. Please provide amounts for your agency's purchases from other sources, including from GSA schedule contractors and your service contractors, including construction contractors, fleet maintenance contractors, and facilities maintenance contractors.**

### a) **Paper: Commercial Sanitary Tissue Products**

- i) Does your Agency purchase this item (directly or through contracts)?  
**Yes** \_\_\_ **No** \_\_\_ If no, skip to next section.
- ii) Total dollar amount<sup>1</sup> of these products purchased<sup>2</sup> by your Agency from sources *other than GSA* in FY 2005 \$\_\_\_\_\_.
- iii) Dollar amount of these products containing recovered materials<sup>3</sup> purchased by your Agency from sources *other than GSA* in FY 2005 \$\_\_\_\_\_.
- iv) If this product is purchased using an Agency specification, does that specification require the use of recovered materials?  
**Yes** \_\_\_ **No** \_\_\_ **Not Applicable** \_\_\_
- v) Were there any technical impediments to increasing the purchase of this item by your Agency in FY 2005? **Yes** \_\_\_ **No** \_\_\_ If yes, please describe the impediment(s). \_\_\_\_\_

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<sup>1</sup> "Total amount" equals the amount of product without recovered materials plus the amount of product with recovered materials.

<sup>2</sup> Within this document, the term "purchased" includes open market purchases (direct government purchases), and purchases through another agency's pre-existing/pre-negotiated government contracts.

<sup>3</sup> The products designated by EPA are commonly referred to as "CPG-items" or "recycled content products." RCRA refers to them as "products containing recovered materials," which is the term generally used in this reporting document although some reference is made to more specific terms, such as re-refined oil or retread tires.

**b) Non-Paper Office Products: Toner Cartridges**

- i) Does your Agency purchase this item (directly or through contracts)? **Yes** \_\_\_ **No** \_\_\_ If no, skip to next section.
- ii) Total dollar amount of these products purchased by your Agency from sources *other than GSA or DLA* in FY 2005 \$\_\_\_\_\_.
- iii) Dollar amount of these products containing recovered materials purchased by your Agency from sources *other than GSA or DLA* in FY 2005 \$\_\_\_\_\_.
- iv) If this product is purchased using an Agency specification, does that specification require the use of recovered materials?  
**Yes** \_\_\_ **No** \_\_\_ **Not Applicable** \_\_\_
- v) Were there any technical impediments to increasing the purchase of this item by your Agency in FY 2005? **Yes** \_\_\_ **No** \_\_\_ If yes, please describe the impediment(s). \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**c) Construction Products: Concrete**

- i) Does your Agency purchase concrete (directly or through contracts, e.g., construction contracts)? **Yes** \_\_\_ **No** \_\_\_ If no, skip to next section.
- ii) Total amount of concrete purchased and/or used by your Agency in FY 2005 \$\_\_\_\_\_ and/or \_\_\_\_\_ cubic yards, and/or total number of contracts awarded that required the use of concrete \_\_\_\_\_.
- iii) Amount of concrete containing coal fly ash and/or ground granulated blast furnace slag purchased and/or used by your Agency in FY 2005 \$\_\_\_\_\_ and/or \_\_\_\_\_ cubic yards, and/or total number of contracts awarded that required the use of concrete containing coal fly ash or ground granulated blast furnace slag \_\_\_\_\_.
- iv) If this product is purchased using an Agency specification, does that specification require the use of recovered materials?  
**Yes** \_\_\_ **No** \_\_\_ **Not Applicable** \_\_\_
- v) Were there technical impediments to increasing the amount of concrete containing coal fly ash and/or ground granulated blast furnace slag purchased by your Agency in FY 2005? **Yes** \_\_\_ **No** \_\_\_ If yes, please describe the impediment(s). \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**d) Landscaping Products: Landscaping Timbers**

- i) Does your Agency purchase this item (directly or through contracts or other mechanisms)? **Yes** \_\_\_ **No** \_\_\_ If no, skip to next section.
- ii) Total dollar amount of these products purchased by your Agency in FY

- 2005 \$\_\_\_\_\_.
- iii) Dollar amount of these products containing recovered materials purchased by your Agency in FY 2005 \$\_\_\_\_\_.
- iv) If this product is purchased using an Agency specification, does that specification require the use of recovered materials? **Yes** \_\_\_ **No** \_\_\_ **Not Applicable** \_\_\_\_
- v) Were there any technical impediments to increasing the purchase of this item by your Agency in FY 2005? **Yes** \_\_\_ **No** \_\_\_ If yes, please describe the impediment(s).

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**e) Park and Recreation Products: Park Benches and Picnic Tables**

- i) Does your Agency purchase this item (directly or through contracts or other mechanisms)? **Yes** \_\_\_ **No** \_\_\_ If no, skip to next section.
- ii) Total dollar amount of these products purchased by your Agency in FY 2005 \$\_\_\_\_\_.
- iii) Dollar amount of these products containing recovered materials purchased by your Agency in FY 2005 \$\_\_\_\_\_.
- iv) If this product is purchased using an Agency specification, does that specification require the use of recovered materials?  
**Yes** \_\_\_ **No** \_\_\_ **Not Applicable** \_\_\_\_
- v) Were there any technical impediments to increasing the purchase of this item by your Agency in FY 2005? **Yes** \_\_\_ **No** \_\_\_ If yes, please describe the impediment(s).

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**f) Transportation Products: Traffic Barricades**

- i) Does your Agency purchase this item (directly or through contracts or other mechanisms)? **Yes** \_\_\_ **No** \_\_\_ If no, skip to next section.
- ii) Total dollar amount of these products purchased by your Agency in FY 2005 \$\_\_\_\_\_.
- iii) Dollar amount of these products containing recovered materials purchased by your Agency in FY 2005 \$\_\_\_\_\_.
- iv) If this product is purchased using an Agency specification, does that specification require the use of recovered materials?  
**Yes** \_\_\_ **No** \_\_\_ **Not Applicable** \_\_\_\_
- v) Were there any technical impediments to increasing the purchase of this item by your Agency in FY 2005?

**Yes** \_\_\_\_ **No** \_\_\_\_ If yes, please describe the impediment(s).

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**g) Vehicular Products: Re-refined Oil**

- i) Does your Agency purchase this item (directly or through contracts or other mechanisms)? **Yes** \_\_\_\_ **No** \_\_\_\_ If no, skip to next section.
- ii) Total dollar amount of these products purchased by your Agency in FY 2005 \$\_\_\_\_\_.
- iii) Dollar amount of these products containing recovered materials purchased by your Agency in FY 2005 \$\_\_\_\_\_.
- iv) If this product is purchased using an Agency specification, does that specification require the use of recovered materials?  
**Yes** \_\_\_\_ **No** \_\_\_\_ **Not Applicable** \_\_\_\_
- v) Were there any technical impediments to increasing the purchase of this item by your Agency in FY 2005? **Yes** \_\_\_\_ **No** \_\_\_\_ If yes, please describe the impediment(s). \_\_\_\_\_

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**h) Miscellaneous Products: Signage**

- i) Does your Agency purchase this item (directly or through contracts or other mechanisms)? **Yes** \_\_\_\_ **No** \_\_\_\_ If no, skip to next section.
- ii) Total dollar amount of these products purchased by your Agency in FY 2005 \$\_\_\_\_\_.
- iii) Dollar amount of these products containing recovered materials purchased by your Agency in FY 2005 \$\_\_\_\_\_.
- iv) If this product is purchased using an Agency specification, does that specification require the use of recovered materials?  
**Yes** \_\_\_\_ **No** \_\_\_\_ **Not Applicable** \_\_\_\_
- v) Were there any technical impediments to increasing the purchase of this item by your Agency in FY 2005? **Yes** \_\_\_\_ **No** \_\_\_\_ If yes, please describe the impediment(s). \_\_\_\_\_

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**3. Solid Waste Prevention, Recycling, and Other E.O. 13101 Requirements**

- a) Did you institute new, substantially improved, or updated solid waste prevention

practices in FY 2005? **Yes** \_\_\_\_ **No** \_\_\_\_ . Please provide an explanation of your response.

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- b) Does your Agency have sites or facilities with composting programs? **Yes** \_\_\_\_ **No** \_\_\_\_ . If yes, how many facilities or sites? \_\_\_\_ Estimate the total weight of materials diverted to composting: \_\_\_\_ tons.
- c) What percentage of offices/sites operated by your Agency have an active office products recycling program? \_\_\_\_ of \_\_\_\_ sites, which is \_\_\_\_ percent of offices/sites.
- d) What percentage of residential housing operated by your Agency have an active household products recycling program? \_\_\_\_ of \_\_\_\_ sites, which is \_\_\_\_ percent of housing. **Not Applicable** \_\_\_\_
- e) What percentage of demolition projects managed by and/or contracted by your Agency includes the recovery of construction materials? \_\_\_\_ of \_\_\_\_ projects, which is \_\_\_\_ percent of demolition projects. **Not Applicable** \_\_\_\_
- f) What percentage of the total solid waste<sup>4</sup> generated by your Agency was diverted to recycling? \_\_\_\_ of \_\_\_\_ metric tons, which is \_\_\_\_ percent.
- g) Does your Agency have an internal awards program in accordance with Executive Order 13101, Section 802? **Yes** \_\_\_\_ **No** \_\_\_\_ Please provide details for your response, of if the response is no, please explain why not.
- h) In FY 2005, did your Agency participate in a pilot project to purchase environmentally preferable products or services per the requirements of E.O. 13101, sections 503(b) and 601(c)? **Yes** \_\_\_\_ **No** \_\_\_\_ Please provide details for your response.
- i) In FY 2005, did your Agency purchase or test any biobased products, other than biobased fuels? **Yes** \_\_\_\_ **No** \_\_\_\_ Please provide details for your response, including the source(s) of the products (e.g., GSA schedule, DLA, commercial product source, support services contractor).

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<sup>4</sup> "Solid waste" refers to municipal solid waste as defined by EPA. Please indicate if your Agency is including other materials, such as construction and demolition debris.

- j) Is your Agency using green cleaning products or services at any of your facilities, including facilities managed by GSA and leased facilities? **Yes** \_\_\_\_ **No** \_\_\_\_  
If yes, please elaborate.
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#### 4. **Management Controls**

##### a) **Affirmative Procurement Policy**

- i) Does your Agency have a documented policy or procedure for the implementation of the affirmative procurement program (APP) required by section 6002 of RCRA? **Yes** \_\_\_\_ **No** \_\_\_\_
- \* ii) Does the Agency policy define responsibility for:
- Conducting awareness training? **Yes** \_\_\_\_ **No** \_\_\_\_
  - Incorporating APP requirements into specifications and contracts? **Yes** \_\_\_\_ **No** \_\_\_\_
  - Establishing and measuring progress toward APP objectives? **Yes** \_\_\_\_ **No** \_\_\_\_
  - Reporting progress? **Yes** \_\_\_\_ **No** \_\_\_\_
  - Management review? **Yes** \_\_\_\_ **No** \_\_\_\_
- If the answer to any question is no, please explain why not. \_\_\_\_\_
- 
- 
- iii) Does your Agency have a requirement to routinely update the affirmative procurement policy? **Yes** \_\_\_\_ **No** \_\_\_\_ If so, is the APP policy reviewed/updated in accordance with this plan? **Yes** \_\_\_\_ **No** \_\_\_\_ Has the Agency affirmative procurement policy been updated within the past three years (i.e., it incorporates EPA's CPG 3 and CPG 4 product designations)? **Yes** \_\_\_\_ **No** \_\_\_\_
- iv) Has your policy, procedure, or plan been amended to implement the procurement of biobased products as required by section 9002 of the Farm Security and Rural Investment Act of 2002? **Yes** \_\_\_\_ **No** \_\_\_\_
- v) Please attach a copy of, or provide the URL for, the website for your Agency APP policy, if it has changed since the FY 2004 report.
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##### b) **Training**

- i) Who is responsible for conducting training of agency personnel with respect to the buy-recycled requirements? \_\_\_\_\_
-

- ii) How many acquisition personnel have documented APP training within the past three years? \_\_\_\_\_ of \_\_\_\_\_ personnel, which is \_\_\_\_\_ percent.
- iii) Is training provided by agency personnel, an outside source (e.g., Defense Acquisition University's contracting officer training courses), or both?  
\_\_\_\_\_
- iv) What percentage of purchase cardholders have documented APP training within the past three years, as required by Executive Order 13101? \_\_\_\_\_ of \_\_\_\_\_ personnel, which is \_\_\_\_\_ percent.
- v) Who provides the training to purchase cardholders? \_\_\_\_\_
- vi) How is training of purchase card users documented? \_\_\_\_\_
- vii) Has your agency begun training about biobased products procurement?  
**Yes** \_\_\_\_ **No** \_\_\_\_ If yes, who provided the training? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**c) Auditing**

- i) What percentage of Agency facilities conducted and documented contracting and/or environmental audits<sup>5</sup> for APP compliance during this reporting period? \_\_\_\_\_ percent
- ii) Does the Agency conduct trend analysis of audit, training, and FPDS data to assess APP program effectiveness? **Yes** \_\_\_\_ **No** \_\_\_\_
- iii) What types of trends are realized as a result of findings from these audits?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- iv) Are audit findings reported to senior facility management?  
**Yes** \_\_\_\_  
**No** \_\_\_\_
- v) Does senior facility management track corrective actions from these audit findings? **Yes** \_\_\_\_ **No** \_\_\_\_
- vi) Provide a copy of, or the URL for, the website for your Agency APP audit protocol, procedure, or other similar program document, if you did not provide it in your FY 2004 report.  
\_\_\_\_\_  
\_\_\_\_\_

**d) Agency Goals**

- i) As required by E.O. 13101, what is your agency's goal for solid waste diversion by 2005? \_\_\_\_\_ By 2010? \_\_\_\_\_
- ii) What is your agency's current recycling or diversion rate? \_\_\_\_\_
- iii) What is your agency's goal to increase the procurement of EPA-designated recycled content products?  
\_\_\_\_\_

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<sup>5</sup> Includes internal, corporate, external, or other audits

- iv) 

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As required by E.O. 13101, does your agency have a goal for increasing the use of environmentally preferable products? **Yes**\_\_\_\_ **No**\_\_\_\_ If yes, what is the goal? \_\_\_\_\_ How are you measuring progress toward the goal? \_\_\_\_\_
- v) 

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Has your agency established a goal for purchases of biobased products? **Yes** \_\_\_\_ **No** \_\_\_\_